

SENATE BILL REPORT

SHB 2261

As Reported By Senate Committee On:
Water, Energy & Telecommunications, March 30, 2007

Title: An act relating to an evaluation of the state wood smoke reduction program.

Brief Description: Providing for the evaluation of additional measures to reduce wood smoke emissions.

Sponsors: House Committee on Select Committee on Environmental Health (originally sponsored by Representatives Campbell, Hudgins, Morrell, Hunt and Ormsby).

Brief History: Passed House: 3/14/07, 64-31.

Committee Activity: Water, Energy & Telecommunications: 3/28/07, 3/30/07 [DPA, DNP].

SENATE COMMITTEE ON WATER, ENERGY & TELECOMMUNICATIONS

Majority Report: Do pass as amended.

Signed by Senators Poulsen, Chair; Rockefeller, Vice Chair; Fraser, Marr, Oemig, Pridemore and Regala.

Minority Report: Do not pass.

Signed by Senators Honeyford, Ranking Minority Member; Delvin and Holmquist.

Staff: Jan Odano (786-7486)

Background: In 1991, the Legislature found that ambient air pollution was a serious environmental threat and caused significant harm to human health and damaged the environment. To that end, the Legislature developed statutes to address wood stoves and solid fuel burning devices.

All new and residential and commercial construction, all wood stoves must meet Washington emission standards. The sale of used wood stoves or wood stoves that do not meet emission standards is prohibited. As of January 1, 1992, all new and substantially remodeled residential and commercial construction within an urban growth area and area designated by the Environmental Protection Agency (EPA) as having poor air quality (being in non-attainment for particulate matter) are required to have an adequate source of heat other than wood stoves.

Commercial and residential establishments that have adequate sources of heat without burning wood may not burn wood during first or second stage air pollution episodes. A first stage of impaired air quality means that particulates in the ambient air have reached a certain level

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(35mg/m³) and the weather conditions are not expected to let the level of particulates to decline within a set time period. A second stage of impaired air quality is when a first stage of impaired air quality has been in effect and has not been enough to reduce increasing levels of particulates, particulate levels are at a higher ambient level (60 mg/m³) within a set time period, and the weather conditions are not expected to allow the particulate level to decrease below the higher ambient level.

Summary of Substitute Bill: Until June 30, 2009, an air pollution control authority comprised of one county, with a population greater than or equal to 400,000 people, may by rule determine an alternative ambient air level of fine particulates that defines a first or second stage of impaired air quality.

The Department of Ecology is required to convene and chair a workgroup to study the impacts of wood smoke from wood stoves, and make recommendations to the Legislature on cost-effective opportunities to reduce public health threats from wood smoke exposure. The work group must include regional air quality agencies, Department of Health, local health departments, related industries, and non-governmental health organizations.

The workgroup study must include consideration of communities with elevated levels of particulate matter 2.5 pollution, contribution of pollution from wood burning stoves to potential violations of federal air quality standards; wood smoke pollution strategies used in other states and regions, state laws and policies that may affect the ability to reduce emissions from wood burning stoves or the use of cleaner burning devices, and potential financial incentives and sources of funding to replace older solid fuel burning devices with cleaner burning devices.

In addition, the workgroup recommendations may include statutory or regulatory changes incentives, and other strategies to reduce ambient particulate matter 2.5 pollution to levels sufficient to protect public health. The workgroup should present its recommendations to the Governor and the Legislature no later than December 1, 2007.

EFFECT OF CHANGES MADE BY RECOMMENDED AMENDMENT(S) AS PASSED COMMITTEE (Water, Energy & Telecommunications): The work group is not limited to study public health threats from exposure to wood smoke and makes minor technical changes.

Appropriation: None.

Fiscal Note: Available.

Committee/Commission/Task Force Created: No.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Staff Summary of Public Testimony: PRO: Wood smoke pollutes our neighborhoods and threatens our health. There are areas within the state that will not meet the new EPA standards for particulate matter. This bill will provide the opportunity to determine other strategies to find appropriate and correct solutions to resolve air pollution concerns.

Persons Testifying: PRO: Gary Smith, Independent Business Association; Jeannette Richie, citizen; Marshall Taylor, Department of Ecology; Marcia Fromhold, Puget Sound Clean Air.